



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION
CITY VIEW PLAZA II, SUITE 7000
GUAYNABO, PUERTO RICO 00968-8069

100112

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Eduardo Cordero
Pfizer Pharmaceuticals LLC
PO Box 628
Barceloneta PR 00617

**Re: Complaint and Notice of Opportunity to Request a Hearing
Docket Number CAA-02-2012-1220
In the Matter of Pfizer Pharmaceuticals LLC**

Dear Mr. Cordero:

Enclosed is a Complaint that the United States Environmental Protection Agency (EPA) is issuing against Pfizer Pharmaceuticals, Inc. (Respondent) as a result of our determination that Respondent failed to comply with the National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks, 40 C.F.R. Part 63, Subpart H, 40 C.F.R. § 63.160-63.183 (the "HON MACT" regulations), at the pharmaceutical plant located at State Road 2, Km. 58.2, Barceloneta, Puerto Rico (the Facility), in violation of Sections 112 and 114 of the Clean Air Act (CAA), 42 U.S.C. §§ 7414 and 7671(g).

This Complaint is filed pursuant to the authority contained in Section 113(d) of the CAA, 42 U.S.C. § 7413(d). The Complaint proposes assessing a total penalty of \$216,555 for Respondent's alleged violations.

The Respondent has the right to a hearing to contest the factual allegations of the Complaint. If the Respondent admits the allegations, or they are found to be true after there has been an opportunity for a hearing on them, the Respondent has the right to contest the penalty proposed in the Complaint. I have enclosed a copy of the "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits" (CROP), followed by EPA in cases of this kind. The CROP is codified at 40 C.F.R. Part 22.

Please note the requirements for an Answer at Section 22.15 of the CROP. If the Respondent wishes to contest the allegations in the Complaint or the penalty proposed in the Complaint, the Respondent must file an original and a copy of a written Answer within thirty (30) days of the Respondent's receipt of the enclosed Complaint with the EPA Regional Hearing Clerk at the following address:

Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th Floor
New York, New York 10007-1866

If the Respondent does not file an Answer within thirty (30) days of receipt of this Complaint, the Respondent may be judged to have defaulted (see Section 22.17 of the CROP). If a default order is entered, the entire proposed penalty may be assessed without further proceedings.

Whether or not the Respondent requests a formal hearing, the Respondent may informally confer with EPA concerning the alleged violations and the amount of the proposed penalty. EPA encourages all parties against whom it files a Complaint to pursue the possibility of settlement as a result of such informal conference with the Agency. The Agency also encourages the use of Supplemental Environmental Projects (SEPs), where appropriate, as part of the settlement. Enclosed is a copy of the EPA SEP Policy for your consideration.


The Respondent may represent itself or be represented by an attorney at any stage of the proceedings, including any informal discussions, whether in person or by telephone. An attorney from the Agency's Office of Regional Counsel will normally be present at any informal conference. Please note that a request for an informal conference is not a substitute for a written Answer or affects what the Respondent may choose to say in an Answer, nor does it extend the thirty (30) days by which the Respondent must file an Answer requesting a hearing. Any hearing held in this matter will be conducted in accordance with the CROP.

If you have any questions or wish to discuss a settlement of this matter with the EPA by an informal conference, please immediately contact:

Carolina Jordán-García, Esq.
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 2
City View Plaza II - Suite 7000
48 Rd. 165 Km. 1.2
Guaynabo, PR 00968-8069
Email: jordan-garcia.carolina@epa.gov
Tel.: (787) 977-5850

We urge your prompt attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "José C. Font". The signature is stylized with a large initial "J" and a prominent "F".

José C. Font, Acting Director
Caribbean Environmental Protection Division

Enclosures

cc: Karen Maples, EPA Region 2 Regional Hearing Clerk
(Original and copy of Complaint and Notice of Opportunity to Request a Hearing)